

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

KEVIN WAIDE PEOPLES, )  
Petitioner, )  
v. ) Case No. 2:22-cv-00767-MHH-HNJ  
GIVENS, et al., )  
Respondents. )

**MEMORANDUM OPINION**

The Magistrate Judge entered a report (Doc. 7) in which he recommended that the Court dismiss without prejudice petitioner Kevin Waide Peoples's *pro se* petition for a writ of habeas corpus because the Court lacks jurisdiction over Mr. Peoples's successive petition per 28 U.S.C. § 2244(b)(3)(A). The Magistrate Judge advised Mr. Peoples of his right to file written objections to the report within 14 days; the Court has not received objections.

After review of the record in this case and the Magistrate Judge's report, the Court adopts the Magistrate Judge's report and accepts his recommendation. By separate order, the Court will dismiss without prejudice Mr. Peoples's § 2254 *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2244(b)(3)(A) because Mr. Peoples does not have permission to pursue a second, successive habeas petition.

**DONE** and **ORDERED** this November 30, 2022.

  
**MADELINE HUGHES HAIKALA**  
UNITED STATES DISTRICT JUDGE